

**DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION**

GUIDANCE MEMORANDUM¹ No. 2-91

Issue Date: April 21, 2008

Subject: Cost Bond – Long Term Facilities
(issued 2/5/91, updated 10/1/01 & 04/21/08)

§4VAC25-130-800.17(b)(2) of the regulations specifies the cost of removing the facilities associated with the long-term disturbances shall be considered in the performance bond calculation. The Division may exclude the cost of removing facilities that will remain on the site after the operation is completed when the facilities retention is necessary to achieve the post mining land use.

¹ This Memorandum is to be considered a guideline issued under the authority of § 45.1-230.A1 of the Code of Virginia which reads:

"In addition to the adoption of regulations under this chapter, the Director may at his discretion issue or distribute to the public interpretative, advisory or procedural bulletins or guidelines pertaining to permit applications or to matters reasonably related thereto without following any of the procedures set forth in the Administrative Process Act (§ 2.2-4000 et seq.). The materials shall be clearly designated as to their nature, shall be solely for purposes of public information and education, and shall not have the force of regulations under this chapter or under any other provision of this Code."